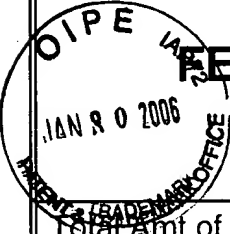


\$ ITW



# FEE TRANSMITTAL

Application Number: 09/863,234
Filing Date: May 23, 2001
First Named Inventor: Argenta
Group Art Unit: 3736
Examiner Name: Lacyk
Attorney Docket Number: 0101 P00636US4

Total Amt of Payment (1) + (2) + (3) = \$180

## METHOD OF PAYMENT (check one)

The Commissioner is hereby authorized to:

- ☐ Charge indicated fees
- ☒ Charge additional fees
- ☒ Credit overpayments

to the account of DANN, DORFMAN, HERRELL & SKILLMAN  
Deposit Account Number 04-1406

Payment enclosed:  
Check in the amount of \$180

## FEE CALCULATION

### 1. FILING FEE

Fee Description	Fee
Utility filing fee	<u>                    </u>
Design filing fee	<u>                    </u>
Plant filing fee	<u>                    </u>
Reissue filing fee	<u>                    </u>
<b>SUBTOTAL (1)</b>	<b>\$0</b>

### 2. Claims Fees

# of Claims - Paid	Extra Claims	Fee/Claim	Fee
Total Claims - =		50	\$0
Indep Claims - =		200	\$0
Multiple Dependent Claim Fee			
<b>SUBTOTAL (2)</b>			<b>\$0</b>

## ADDITIONAL FEES

Fee Description	Fee Paid
Surcharge-late filing fee or oath	<u>                    </u>
Surcharge - late provisional filing fee or cover sheet	<u>                    </u>
Extension for response within 3 month	<u>                    </u>
Notice of Appeal	<u>                    </u>
Filing a brief in support of an appeal	<u>                    </u>
Request for oral hearing	<u>                    </u>
Petition to revive unavoidably abandoned application	<u>                    </u>
Petition to revive unintentionally abandoned application	<u>                    </u>
Issue Fee	<u>                    </u>
Petitions to the Commissioner	<u>                    </u>
Petitions related to provisional applications	<u>                    </u>
Submission of Information Disclosure Stmt.	<u>180</u>
Recording each patent assignment per property	<u>                    </u>
Other fee (specify) <u>Terminal Disclaimer</u>	<u>                    </u>
<b>SUBTOTAL (3)</b>	<b>\$180</b>

Submitted By: Niels Haun Reg. Number 48,488

Signature

Date January 27, 2006

Deposit Account User ID  
04-1406



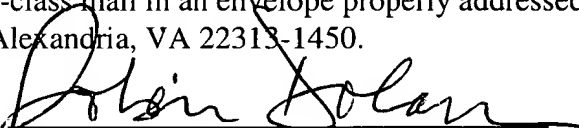
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **Argenta**  
Application No. **09/863,234**  
Attorney Docket No. **0101 P00636US4**  
Filed: **May 23, 2001**  
For: **Wound Treatment Employing Reduced Pressure**  
Examiner: **Lacyk**  
Group Art Unit: **3736**

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this Correspondence is being deposited on the date identified below with the United States Postal Service as first-class mail in an envelope properly addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

January 27, 2006  
Date of Certificate

  
Robin Dolan

Commissioner for Patents  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97**

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants are submitting herewith a Form PTO-1449 and a copy of the references listed thereon.

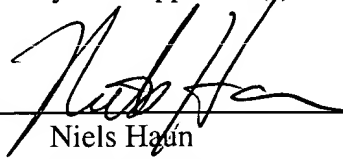
This Information Disclosure Statement is being filed more than three months after the filing date of this application, and after receipt of the first Official Action on the merits, but before receipt of a Final Official Action or an Notice of Allowance. Accordingly, the fee required under 37 C.F.R. 1.97(c) is enclosed. In the event the enclosed fee is in error, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit account no. 04-1406.

Applicants respectfully request full and proper consideration of the listed information during examination of the application, and that the listed information be printed on any patent that issues therefrom.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN  
A Professional Corporation  
Attorneys for Applicant(s)

By



Niels Haun

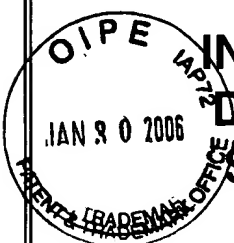
PTO Registration No. 48,488

Telephone: (215) 563-4100

Facsimile: (215) 563-4044

Enclosures - Form PTO-1449

Copies of References listed on PTO -1449



# INFORMATION DISCLOSURE STATEMENT

*Complete if known*

Application Number: 09/863,234

Filing Date: May 23, 2001

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: Lacyk

SHEET 1 OF 5

Attorney Docket Number: 0101 P00636US4

## UNITED STATES PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
		4,841,962	6/27/1989	Berg, et al.
		4,753,231	06/28/1988	Lang, et al.
		4,452,845	06/05/1984	Lloyd, et al.
		4,860,737	08/29/1989	Lang, et al.
		3,938,540	02/17/1976	Holbrook, et al.
		4,459,139	07/10/1984	vonReis, et al.
		3,713,622		

## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
		0688189 B2	EP	06/01/2005	Argenta, et al.

## OTHER CITATIONS - NON-PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		Healing of Full Thickness Defects in Swine
		Opposition EP to 0,620,720, Summons to Oral Proceedings Appeal dated December 21, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs Letter to Honorable Royal Furgeson dated January 3, 2006.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendants Letter to Honorable Royal Furgeson dated January 3, 2006.

EXAMINER'S  
SIGNATURE

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SHEET 2 OF 5

Attorney Docket Number: 0101 P00636US4

	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Reply Claim Construction Brief with Exhibits dated November 11, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Surreply Further Opposing Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motions for Summary Judgment on the '643 and '880 Patents with Exhibits dated October 14, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Opposition to Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motion for Summary Judgment on the '880 Patent with Exhibits dated September 12, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Bluesky and Richard Weston's First Amended Crossclaims and Answer to Plaintiffs' Fourth Amended Complaint, Counterclaims, and Joinder of Wake Forest University dated November 15, 2005.
	Webster, J.G., "Prevention of Pressure Sores", © IOP Publishing Ltd 1991, The Adam Hilger Series on Biomedical Engineering, pp. 199-223.
	Garcia-Velasco, M., et al., "Compression Treatment of Hypertrophic Scars in Burned Children", The Canadian Journal of Surgery, V.21, No. 5, September 1978, pp. 450-452.
	Rose, M.P., et al., "The Clinical Use Of A Tubular Compression Bandage, Tubigrip, for Burn-Scar Therapy: A Critical Anaylis", Burns (1985) 12, 58-64.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Bluesky and Richard Weston's Objections and Responses to Plaintiffs' Fifth Request for Production dated December 9, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendants' Response Brief Regarding Second Claim Construction Hearing ('081 Patent and Certain Claims of the '643 Patent) with Exhibits dated October 25, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Medela, Inc.'s Objections and Responses to Plaintiffs' Sixth Request for Production of Documents dated December 9, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Bluesky and Richard Weston's First Amended Crossclaim and Answer to Plaintiffs' Fourth Amended Complaint, Counterclaims, and Joinder of Wake Forest University dated November 15, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Responsive Claim Construction Brief on the Disputed Claim Terms from the '6443 and '081 Patents with Exhibits dated October 25, 2005.

EXAMINER'S  
SIGNATURE

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Application Number: 09/863,234

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First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: Lacyk

SHEET 3 OF 5

Attorney Docket Number: 0101 P00636US4

	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Markman Hearing Medela Presentation, pp. 1-78.
	Opposition EP to 0,618,189 New European Patent Specification EP 0688189B2.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Supplemental Expert Report of Wilson C. Hayes, Ph.D. Concerning Infringement of Newly Asserted Claims of U.S. Patent Nos. 5,636,643 and 5,645,081 dated December 19, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Dennis P. Orgill, M.D., Ph.D. with Exhibits dated December 29, 2005.
	Opposition EP to 0,618,189 Decision to Maintain the European Patent in Amended Form (Article 102(3) EPC) dated April 22, 2005, 1 page.
	Opposition EP to 0,618,189 Letter relating to Appeal Procedure dated March 5, 2004, 10 pages.
	Opposition EP to 0,618,189 Letter relating to Appeal Procedure dated June 27, 2003.
	Opposition EP to 0,618,189 Interlocutory Decision in Opposition Proceedings with Grounds for the Decision dated February 17, 2003.
	Opposition EP to 0,618,189 Minutes of the Oral Proceedings, Documents for the Maintenance of the Patent as Amended, Annex to the Communication dated February 17, 2003.
	Opposition EP to 0,618,189 Letter Pursuant to Rule 71a EPC and all Other Letter during Oral Proceedings dated November 11, 2002.
	Opposition EP to 0,618,189 Reply of the Patent Proprietor to the Notice(s) of Opposition dated March 15, 2002.
	Opposition EP to 0,618,189 Notice of Opposition dated June 12, 2001.
	Murray, Y., "Tradition Rather Than Cure", Wound Care, Nursing Times, September 21, Vol. 94, No. 38, 1988 (with German translation).
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs Response to Claim Construction Reply Letter dated January 6, 2006.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendants Medela Claim Construction Letter dated January 5, 2006.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Harriet W. Hopf, M.D. on New Claims dated January 4, 2006.

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Filing Date: May 23, 2001

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: Lacyk

SHEET 4 OF 5

Attorney Docket Number: 0101 P00636US4

	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Lydia Razran Stone, Ph.D. dated December 29, 2005 with CV.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs Fourth Amended Complaint with Declaration of Trang Tran with Exhibits dated June 30, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Transcript Deposition of Michael John Morykwas dated December 6, 2005 with Exhibits.
	SPURLOCK, Gareth, "The Management of Open Joint Injuries", Wound Management, Veterinary Clinics of North American Equine Practice, Vol. 5, No. 3, December 1989.
	TITTEL, K., et al., "VariDyne – new standards in postoperative wound drainage", Jahrgang 14 (1988), Nr. 2, April, vol. 14 (1988), No. 2, April, pp. 104-107.
	QUEEN, D., et al., "The preclinical evaluation of the Water Vapour Transmission Rate Through Burn Wound Dressings", Biomaterials 1987 Vol. 8, September, pp. 367-371.
	WOOD, R.A.B., et al., "Foam Elastomer Dressing in the Management of Open Granulating Wounds: Experience with 250 Patients", Br. J. Surg., Vol. 64 (1977), pp 554-557.
	WAYMACK, J.P., et al., "An Evaluation of Aquaphor Gauze Dressing in Burned Children", Burns (1986) 12, 443-448.
	WINTER, George D., "Epidermal Wound Healing Under a New Polyurethane Foam Dressing (Lyof foam)", Plastic & Reconstructive Surgery, November 1975, Vol. 56, No. 5, pp. 531-537.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Deposition Transcript of Doris Ritter-Wiegand with Exhibits dated December 15, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Transcript of Videotaped Deposition of Katherine Jeter with Exhibits dated November 29, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Supplemental Expert Report of Mark Chariker, M.D. dated December 19, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Vincent B. Pizziconi, Ph.D. with Exhibits dated December 23, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Amended Order Construing Patent '643 Claims Terms dated January 25, 2006.

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Filing Date: May 23, 2001

First Named Inventor: Argenta

Group Art Unit: 3736

Examiner Name: Lacyk

SHEET 5 OF 5

Attorney Docket Number: 0101 P00636US4

		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Order Construing Patents '643 and '081 Claim Terms dated January 24, 2006.
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		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Michael A. O'Neil dated January 4, 2006.
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		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Partial Transcript of Videotaped Deposition James Spahn dated May 4, 2005.
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EXAMINER'S SIGNATURE		DATE CONSIDERED	
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